

## FORM 26. Docketing Statement

# UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

No. 14-1812

REMBRANDT SOCIAL MEDIA, LP

v.

FACEBOOK, INC.

## DOCKETING STATEMENT

This Docketing Statement must be completed by all counsel and filed with the court within 14 days of the date of docketing. When the United States or its officer or agency is a party, this Docketing Statement must be completed by all counsel and filed with the court within 30 days of docketing. All questions must be answered or the statement will be rejected.

Name of the party you represent REMBRANDT SOCIAL MEDIA, LP

Party is (select one) ☒ Appellant/Petitioner ☐ Cross-Appellant  
☐ Appellee/Respondent ☐ Intervenor

Tribunal appealed from and Case No. E.D. V.A. Case No. 1:13cv158 (TSE/TRJ)

Date of Judgment/Order June 13, 2014 Type of Case Patent Infringement

Relief sought on appeal Reversal of Judgment

Relief awarded below (if damages, specify) \_\_\_\_\_  
Judgment in favor of defendant Facebook, Inc., i.e., no liability or damages.

Briefly describe the judgment/order appealed from \_\_\_\_\_

Rembrandt Social Media, LP appeals the final judgment entered on June 13, 2014 in this case and from all underlying decisions, orders, and rulings related to, supported, or incorporated into the final judgment as adverse to Plaintiff Rembrandt Social Media, LP.

Form 26

**FORM 26. Docketing Statement (continued)**

Nature of judgment (select one)

- ☒ Final Judgment, 28 USC 1295
- ☐ Rule 54(b)
- ☐ Interlocutory Order (specify type) \_\_\_\_\_
- ☐ Other (explain; *see* Fed. Cir. R. 28(a)(5)) \_\_\_\_\_

Name and docket number of any related cases pending before this court plus the name of the writing judge if an opinion was issued \_\_\_\_\_

None. During the pendency of this case, however, there was a petition by Rembrandt Social Media, LP pursuant to 28 U.S.C. Section 1292(b). This Court denied permission to appeal, so this case is no longer pending. The Docket Number was Misc. No. 2014-111.

Brief statement of the issues to be raised on appeal \_\_\_\_\_

Rembrandt Social Media, LP seeks to reverse the trial court's judgment and/or rulings that (1) Facebook, Inc. does not infringe the patents-in-suit, (2) the asserted claims of the patents-in-suit are invalid, and (3) Rembrandt Social Media, LP was not entitled to present any evidence of damages.

Have there been discussions with other parties relating to settlement of this case?

☒ Yes ☐ No

If "yes," when were the last such discussions?

- ☐ Before the case was filed below?
- ☒ During the pendency of the case below?
- ☐ Following the judgment/order appealed from?

If "yes," were the settlement discussions mediated? ☐ Yes ☒ No

If they were mediated, by whom? \_\_\_\_\_

**FORM 26. Docketing Statement (continued)**

Do you believe that this case may be amenable to mediation? ☐ Yes ☒ No

If you answered no, explain why not \_\_\_\_\_

There are fundamental legal issues of which the parties have disagreement and, without resolution of those issues, the parties are unlikely to reach agreement on a settlement.

Provide any other information relevant to the inclusion of this case in the court's mediation program. \_\_\_\_\_

I certify that I filed an original and one copy of this Docketing Statement with the Clerk of the United States Court of Appeals for the Federal Circuit and served a copy on counsel of record, this 26th day of September, 2014

by: Electronic Service (CM/ECF)  
(manner of service)

<u>Ahmed J. Davis</u>	<u>/s/ Ahmed J. Davis</u>
Name of Counsel	Signature of Counsel

Law Firm Fish & Richardson, P.C.

Address 1425 K Street, NW, 11th Floor

City, State, ZIP Washington, DC 20005

Telephone Number (202) 783-5070

FAX Number (202) 783-2331

E-mail Address davis@fr.com

FORM 30. Certificate of Service

UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT

CERTIFICATE OF SERVICE

I certify that I served a copy on counsel of record on  
by:

Facebook, Inc.

- ☐ US mail  
☐ Fax  
☐ Hand  
☒ Electronic Means  
(by email or CM/ECF)

Ahmed J. Davis

Name of Counsel

/s/ Ahmed J. Davis

Signature of Counsel

Law Firm

Fish & Richardson P.C.

Address

1425 K Street, NW, 11th Floor

City, State, ZIP

Washington, DC 20005

Telephone Number

(202) 783-5070

FAX Number

(202) 783-2331

E-mail Address

davis@fr.com

NOTE: For attorneys filing documents electronically, the name of the filer under whose log-in and password a document is submitted must be preceded by an "/s/" and typed in the space where the signature would otherwise appear. Graphic and other electronic signatures are discouraged.